

# **Use of 2,4-D on Genetically Modified Corn and Soybeans**

**March 5, 2014**

## Background

- DAS developed a crop/herbicide system for use as a tool to control herbicide resistant and non-resistant broadleaf weeds.
- Crop is currently going through USDA deregulation – Projected completion date 8/15/2014
- PMRA approved use on corn – May 2013

# Background

- Herbicide-resistant weeds are an increasing problem
  - Resistance to glyphosate has become a significant economic issue to growers
- Action drawing significant attention from public in both EPA and USDA review processes.

# **Impacts of Previous Litigation Against USDA**

- Court ruling reversed USDA deregulation decision on glyphosate tolerant alfalfa
  - NEPA obligations not met – Environmental Impact Statement (EIS) needed
  - EPA responsible for Endangered Species Assessment (ESA)

## 2,4-D – Current Action

- EPA has received applications for registration of the choline salt of 2,4-D on GM corn (11/9/10) and soybean (4/15/11)
  - Expands options for application
  - Enables control of resistant biotypes
- USDA has received petitions to deregulate the 2,4-D tolerant gene in corn (8/21/09) and soybean (12/15/09)
  - May 2013 – USDA decision to proceed with EIS for 2,4-D Enlist corn and soybeans
- EPA assessment team has evaluated special scenarios beyond typical pesticide registration actions

# 2,4-D Application in Conventional vs Genetically Modified Corn and Soybean

		Current Registered Use	2,4-D Tolerant (Pending Application)
Corn		Over-the-top applications in corn up to 8 inches tall Drop nozzle applications up to 48 inches	Over-the-top applications in corn up to 48 inches tall
Soybeans		Pre-plant applications only	Over-the-top applications in soybeans up to full flowering

## Public Concerns in NOR

- Extraordinarily high number of comments submitted to EPA docket for this action
  - > 100,000 comments on the NORs
- Public concern about genetically modified food
- Concerns about safety of 2,4-D
  - “Agent Orange” misconception
- Growers of sensitive crops, such as vegetables, concerned about damage from spray drift and volatility
- NGOs concerned about drift to non-target organisms, including endangered species
- Increase in selection for 2,4-D and glyphosate resistant weeds

# Summary of Comments for EPA NORs

- EPA issued two Notices of Receipt (NORs) for Dow's applications to register new uses for Enlist (2,4-D) on May 23, 2012 (77 FR 30524).
  - Over 21,000 comments posted for EPA-HQ-OPP-2011-0835 (corn)
  - Over 108,000 comments posted for EPA-HQ-OPP-2012-0306 (soybean)
- A large number of the comments were letter writing campaigns:
  - Center for Food Safety submitted a letter campaign with **19,063** signatures
  - CREDO Action sponsored a campaign with **110,149** letters
  - Pesticide Action Network of North America (PANNA) sponsored letter, submitted by a group of 70 nurses and physicians
- Other organizations also submitted comments, including:
  - PANNA's policy team
  - Center for Food Safety's policy group
  - Food and Water Watch
  - National Family Farm Coalition
  - Grass Roots International
  - National Resources Defense Council
- Numerous individual comments were also received, largely from farmers concerned about volatilization, drift, crop damage, or dioxins
- Registrants also provided some of the comments:
  - Drexel - Concerned about market share, exclusive use
  - Dow AgroSciences - in favor of the registration

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## **USDA posts rule for deregulation of Enlist™ seed for public comment (comment period closes 3/11/14)**

- As of 2/27/14, the USDA has ...
  - Received over 7,300 comments
  - Posted over 6,200 comments
- Approx. 5% of comments of them are positive
  - For example, farmers who welcome new technology to increase profit margins.
- There appears to be several comments received as part of letter writing campaigns to urge USDA to deny deregulation of the seed.
  - For example, Organic Farming Research Foundation

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